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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

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ART UNIT	PAPER NUMBER
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2623

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/04/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/005,768	GAY ET AL.	
	Examiner	Art Unit	
	Farzana E. Hossain	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☒ Claim(s) 5, 10, 15, 19, 23 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This office action is in response to communications filed 11-06-06. Claims 1-25 are pending. Claims 1-5, 8-10, 13-15, 18, 19, 22-23 have been previously presented. Claims 6, 7, 11, 12, 16, 17, 20, 21, 24, 25 are original.
2. The examiner has considered the appeal brief and the finality of that action is withdrawn.

Response to Appeal

In view of the appeal brief filed on 11-06-2006, PROSECUTION IS
HEREBY REOPENED. New grounds of rejection set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

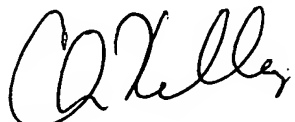
(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were

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previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:


CHRIS KELLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

Response to Arguments

3. Applicant's arguments filed 05- have been fully considered but they are not persuasive.

Claims 1, 13, 18, 22

The applicant argues that Kinney in view of Beard does not teach or suggest broadcasting a command signal from a first entity to a second entity in respond to receipt of the command signal (Page 12). The applicant further argues that Beard discloses a REQUEST TO SYNC message by a application sharing guest application (ASGA) and a SYNC TO POINT command from a applicant sharing host application (ASHA). The applicant argues that Beard discloses two separate commands instead of the same command (Page 13). The applicant also argues that altering the header (to change/set a destination of the packet) would not change the command signal.

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In response to the applicant's arguments, Beard discloses the same command as the REQUEST TO SYNC command (Column 6, lines 10-42, 57-67, Column 7, lines 1-12, 29-39). Beard discloses ASGA or second location moving a cursor or issuing a command regarding a control operation and transmitting the command for moving the cursor to the ASHA or first location and the ASHA broadcasting the command signal from the first location to the second location and performing the control operation in response to receipt of the command signal (Column 6, lines 10-42, 57-67, Column 7, lines 1-12, 29-39).

The perspective of ASGA or the second location is that the ASGA issues a move point or move the cursor command and sends this move the cursor command to the host and the ASHA broadcasts the move the cursor command, the commands can be titled SYNC TO POINT and REQUEST TO SYNC, but a command to move the cursor is sent and performed and therefore the same command. The changing of a header or descriptor or title of a command, which is to move the cursor or move the point, is not changing the command, the command remains the same. The applicant's arguments of the REQUEST TO SYNC is different from SYNC TO COMMAND are not valid as the command of the guest is to move point or move the cursor stays the same. Therefore, the changing the descriptor or title of the command does not change the command for Beard.

Claims 2, 8, 14

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The applicant argues that broadcasting a command signal from a first entity to a second entity and third entity in response to receipt of the command signal.

In response to the applicant's arguments, Beard discloses that the second location transmits a command signal or move the cursor command to the first location, the first location broadcasts the command signal to the second location and the third location (Column 6, lines 10-42, 57-67, Column 7, lines 1-12, 29-39). See response to arguments for Claims 1, 8, 13, 18, and 22.

Claims 4, 7, 9, 12, 17, 21, 25

The applicant argues that he 4, 7, 9, 12, 17, 21, 25 depend directly or indirectly from Claims 1, 8, 13, 18, and 22 respectively and are not made obvious by Kinney in view of Beard for at least the same reasons as claims 1, 8, 13, 18, 22.

In response to the applicant's arguments, see response to arguments for Claims 1, 8, 13, 18, and 22.

Claims 6, 11, 16, 20, 24

The applicant argues that Claims 6, 11, 16, 20, and 24, that Pacifici does not overcome the deficiencies of Kinney in view of Beard with respect to claims 1, 8, 13, 18, 22.

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In response to the applicant's arguments, the examiner does not use *Pacifici* for the limitations of claims 1, 8, 13, 18 and 22. See response to arguments for Claims 1, 8, 13, 18, and 22.

4. Applicant's arguments with respect to claims 3, 5, 10, 15, 19, and 23 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

5. Claims 5, 10, 15, 19, 23 are objected to because of the following informalities:

The claim language is unclear. The claim recites, "one bit of the one byte command identification comprises one of stop, play, forward, reverse, and pause of said video file and a pointer command." The Office assumes "one bit of the one byte command identification comprises one of stop, play, forward, reverse, and pause of said video file and a pointer command" to be --one bit of the one byte command identification comprises one of a pointer command, stop, play, forward, reverse, and pause of said video file" --. Appropriate correction is required.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1, 2, 4, 7-9, 12-14, 17, 18, 21, 22, 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kinney et al (US 5,808,662 and hereafter referred to as "Kinney") in view of Beard et al (US 5,867,156 and hereafter referred to as "Beard").

Regarding Claim 1, Kinney discloses a method comprising: selecting at least one frame of a video file at a first location or master location (Column 7, lines 7-14) by choosing to a function such as a seek, stop or play events (Column 5, lines 52-67, Column 6, lines 1-9, Figure 2A, Column 7, lines 15-35, Column 8, lines 8-10); communicating the selecting of the at least one frame of a video file to a second location or participant location by sending a seek event (with any other type event for synchronization) to select the particular frame (Column 7, lines 15-43, Column 8, lines 15-18); viewing the at least one frame of a video file or movie at the first location (Figure 1, 105, Figure 2A, A, Column 7, lines 31-43, Column 8, lines 8-22) and the second location (Figure 1, 107, 109, Figure 2A, A, Column 7, lines 31-43, Column 8, lines 8-22); issuing a command signal from the second location regarding a control operation of the video file or performing a stop, play, reverse play, a frame forward, or seek event (Figure 2A, 226, Column 5, lines 52-67, Column 6, lines 1-9), transmitting a command signal from the second location to the first location in response to the issued command (Column 7, lines 11-15, Figure 2A, 226, Figure 2B, 246, 254, Column 5, lines 52-67,

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Column 6, lines 1-9,) receiving, at the first location, the command signal or seek/stop/play event (Column 7, lines 55-64, Figure 2A, A, 226, Figure 2B, 246, 254). It is necessarily included that a command signal is sent with the event to the first location as the event synchronizes the master or first location to play, fast forward, stop or go to a particular frame number (Figures 2A, 2B, 2C).

Kinney is silent on broadcasting the command signal from the first location to the second location and then performing at the first and second location, the control operation in response to receipt of the command signal. Beard discloses an applications program sharing configuration between a host or first location (Figure 3, 30) and guests or participants or second location (Figure 3, 32) to allow the host computer to be accessible by the guests for functions such as editing annotating, creating of applications programs (Column 3, lines 42-67, Column 4, lines 1-6). Beard discloses that the guest can want to send a control command or SYNC message to the host for regarding a control operation of the program (Column 6, lines 10-42), which the host or first location broadcasts the command signal from the first location to the second location (Column 6, lines 10-42, 57-67; Column 7, lines 10-13, 29-39). Beard discloses that the host and the guests or second location performs the control operation or syncing to a particular point in the view window in response to receipt of the command signal (Column 6, lines 23-67, Column 7, lines 10-13, 29-39). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kinney to include host or first location broadcasts the command signal from the first location to the second location (Column 6, lines 10-67) and the host

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and the guests or second location performs the control operation or in response to receipt of the command signal (Column 6, lines 10-42, 57-67, Column 7, lines 10-13, 29-39) as taught by Beard in order to allow guests to not be confused when performing editing or pointing and causing miscommunication and work slowdown (Column 1, lines 48-67) as disclosed by Beard.

Regarding Claim 8, Kinney discloses a method comprising: selecting a video file at a first system or master location (Column 6, lines 38-54, Column 7, lines 7-14, Figure 1, 105); communicating the selecting of the video to a second system and a third system (Figure 1, 107, 109, Column 6, lines 47-54); providing a video on a first screen of the first system (Figure 1, 105, 120, 140), a second screen of second system (Figure 1, 107, 120, 140) and a third screen of the third system (Figure 1, 109, 120, 140); issuing a command signal at the second system regarding a control operation of the video file or performing a stop, play, reverse play, a frame forward, or seek event (Figure 2A, 226, Column 5, lines 52-67, Column 6, lines 1-9), transmitting a command signal from the first second system to the first system in response to the issued command (Column 7, lines 11-15, Figure 2A, 226, Figure 2B, 246, 254, Column 5, lines 52-67, Column 6, lines 1-9). It is necessarily included that a command signal is sent with the event to the first location as the event synchronizes the master or first location to play, fast forward, stop or go to a particular frame number (Figures 2A, 2B, 2C). Kinney is silent on broadcasting the command signal from the first system to the second system and the third system and then performing an operation corresponding to the transmitted command signal at the first system, the second

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system and the third system in response to receipt of the command signal.

Beard discloses an applications program sharing configuration between a host or first system (Figure 3, 30) and guests or participants or second and third systems (Figure 3, 32) to allow the host computer to be accessible by the guests for functions such as editing annotating, creating of applications programs (Column 3, lines 42-67, Column 4, lines 1-6). Beard discloses that the guest can want to send a control command or SYNC message to the host for regarding a control operation of the program (Column 6, lines 10-42), which the host or first location broadcasts the command signal from the first location to the second and third systems or guests (Column 6, lines 10-42, 57-67, Column 7, lines 10-13, 29-39). Beard discloses that the host and the guests or second and third performs the control operation or syncing to a particular point in the view window in response to receipt of the command signal (Column 6, lines 10-42, 57-67, Column 7, lines 10-13, 29-39). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kinney to include host or first location broadcasts the command signal from the first location to the second and third systems or guests (Column 6, lines 10-42, 57-67, Column 7, lines 10-13, 29-39), that the host and the guests or second and third performs the control operation or syncing to a particular point in the view window in response to receipt of the command signal (Column 6, lines 10-42, 57-67, Column 7, lines 10-13, 29-39) as taught by Beard in order to allow guests to not be confused when performing editing or pointing and causing miscommunication and work slowdown (Column 1, lines 48-67) as disclosed by Beard.

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Regarding Claim 13 Kinney discloses a method comprising: selecting a video file at a first system or master location (Column 6, lines 38-54, Column 7, lines 7-14, Figure 1, 105); communicating the selecting of the video to a second system (Figure 1, 107, 109, Column 6, lines 38-54); displaying the video on a first video screen of the first system (Figure 1, 105, 120, 140), displaying the video on a second video screen of second system (Figure 1, 107, 120, 140); substantially simultaneously performing at least one operation on the first video screen and the second video screen by transmitting at least one command signal across a communications network (Figure 1, Column 4, lines 41-49, Column 7, lines 1-5, Column 2, lines 15-30, Abstract) from the second system to the first system (Column 7, lines 11-15, Figure 2A, 226, Figure 2B, 246, 254, Column 5, lines 52-67, Column 6, lines 1-9). It is necessarily included that a command signal is sent with the event to the first location as the event synchronizes the master or first location to play, fast forward, stop or go to a particular frame number (Figures 2A, 2B, 2C). Kinney is silent on broadcasting the command signal from the first system to the second system and the third system and then performing an operation corresponding to the transmitted command signal at the first system, the second system in response to receipt of the command signal. Beard discloses an applications program sharing configuration between a host or first system (Figure 3, 30) and guests or participants or second (Figure 3, 32) to allow the host computer to be accessible by the guests for functions such as editing annotating, creating of applications programs (Column 3, lines 42-67, Column 4, lines 1-6). Beard discloses that the guest can want to send a control command

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or SYNC message to the host for regarding a control operation of the program (Column 6, lines 10-42), which the host or first location broadcasts the command signal to the second or guests from the first location (Column 6, lines 10-42, 57-67, Column 7, lines 10-13, 29-39) across communications network (Figure 2, 21). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kinney to include the host or first location broadcasts the command signal to the second or guests from the first location (Column 6, lines 10-42, 57-67, Column 7, lines 10-13, 29-39) across communications network (Figure 2, 21) as taught by Beard in order to allow guests to not be confused when performing editing or pointing and causing miscommunication and work slowdown (Column 1, lines 48-67) as disclosed by Beard.

Regarding Claim 18, Kinney discloses a program storage device or hardware (Column 6, lines 47-54) readable by machine (Figure 1, 105), the machine containing software (Column 6, lines 47-54) to perform a method comprising: launching software (Column 6, lines 38-54) which allows software to simulate a set of video controls (Figure 3, Figure 4) to perform functions such as seek, stop or play events, which reads on a synchronous player program or application (Column 5, lines 52-67, Column 6, lines 1-9, Figure 2A, Column 7, lines 15-35, Column 8, lines 8-10); selecting a video file at a first system or master location (Column 6, lines 38-54, Column 7, lines 7-14, Figure 1, 105); communicating the selecting of the video to a second system (Figure 1, 107, 109,

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Column 6, lines 38-54) causing the second computer system to launch software which simulates video controls (Column 6, lines 38-54, Figure 3, Figure 4); displaying the video on a second video screen of second system (Figure 1, 107, 120, 140, Column 6, lines 38-54); broadcasting a first command signal from the first computer system to the second computer system regarding a first control operation of a video file or movie (Figure 1, Column 4, lines 41-49, Column 7, lines 1-5, Column 2, lines 15-30, Abstract, Figures 2A, 2B, 2C); wherein the command signal causes the second computer system to perform the first control operation (Figure 2A, 218, Figure 2B, 222, Figure 2B, 230, Figure 2C, 252); performing the first control operation on the first computer system (Column 7, lines 1-15, Figure 2A, 218, Figure 2B, 222, Figure 2B, 230, Figure 2C, 252, Column 5, lines 52-67, Column 6, lines 1-9); receiving a second command signal from the second computer system regarding a second control operation of the video file (Column 7, lines 1-14). Kinney discloses performing the second control operation on the first computer system (Column 7, lines 1-15, Figure 2A, 226, Figure 2B, 246, 254, Column 5, lines 52-67, Column 6, lines 1-9). It is necessarily included that a command signal is sent with the event to the first location as the event synchronizes the master or first location to play, fast forward, stop or go to a particular frame number (Figures 2A, 2B, 2C). Kinney also discloses hardware and software can perform the functions of the invention which reads on tangibly embodying a program of instructions executable by the machine to perform a method. Kinney discloses that hardware and software exists and it is necessarily included that Kinney includes a program storage

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device embodying a program of instruction executable by the machine (Column 6, lines 47-54) in order to have a convenient flexible system of movie playback of collaborative system for participants in remote locations (Column 1, lines 9-13, lines 57-67) as disclosed by Kinney. Kinney is silent on broadcasting the second command signal from the first system to the second system and then performing at the first and second system, the control operation in response to receipt of the command signal. Beard discloses an applications program sharing configuration between a host or first system (Figure 3, 30) and guests or participants or second system (Figure 3, 32) to allow the host computer to be accessible by the guests for functions such as editing annotating, creating of applications programs (Column 3, lines 42-67, Column 4, lines 1-6). Beard discloses a computer system with operating system, which performs a program of instructions resident in memory executable by the machine or computer to perform a method of program sharing for performing functions in a collaborative environment (Column 3, lines 32-60). Beard discloses that the guest can want to send a control command or SYNC message to the host for regarding a control operation of the program (Column 6, lines 10-42), which the host or first system broadcasts the command signal from the first system to the second system (Column 6, lines 10-42, 57-67, Column 7, lines 10-13, 29-39). Beard discloses that the host and the guests or second system performs the control operation or syncing to a particular point in the view window in response to receipt of the command signal (Column 6, lines 10-42, 57-67, Column 7, lines 10-13, 29-39). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made

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to modify Kinney to include host or first system broadcasts the command signal from the first system to the second system (Column 6, lines 10-42, 57-67, Column 7, lines 10-13, 29-39) and the host and the guests performs the control operation or in response to receipt of the command signal (Column 6, lines 10-42, 57-67, Column 7, lines 10-13, 29-39) as taught by Beard in order to allow guests to not be confused when performing editing or pointing and causing miscommunication and work slowdown (Column 1, lines 48-67) as disclosed by Beard.

Regarding Claim 22, Kinney discloses a computer system (Figure 1, 105) comprising at least one processing unit (Column 3, lines 60-61), at least a video display and hardware embodying software embodying a program of instructions executable by the processing unit to perform a method comprising (Column 6, lines 47-54): broadcasting a first command signal from the computer system or first computer system to another computer system or second computer system regarding a first control operation of a video file or movie (Figure 1, Column 4, lines 41-49, Column 7, lines 1-5, Column 2, lines 15-30, Abstract, Figures 2A, 2B, 2C); performing the first control operation on the first computer system (Column 7, lines 1-14, Figure 2A, 218, Figure 2B, 222, Figure 2B, 230, Figure 2C, 252); receiving a second command signal from the second computer system regarding a second control operation of the video file (Column 7, lines 1-15, Figure 2A, 226, Figure 2B, 246, 254, Column 5, lines 52-67, Column 6, lines 1-9); and performing the second control operation on the first computer system

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(Column 7, lines 1-15, Figure 2A, 226, Figure 2B, 246, 254, Column 5, lines 52-67, Column 6, lines 1-9). It is necessarily included that a command signal is sent with the event to the first location as the event synchronizes the master or first location to play, fast forward, stop or go to a particular frame number (Figures 2A, 2B, 2C). Kinney disclose a processing unit and transport control logic (Column 3, lines 60-64); the transport control logic or an application that allows participant to control, view and edit a movie (Column 4, lines 41-49). Kinney also discloses hardware and software can perform the functions of the invention which reads on tangibly embodying a program of instructions executable by the machine to perform a method. Kinney discloses that hardware and software exists and it is necessarily included that Kinney includes a program storage device embodying a program of instruction executable by the machine (Column 6, lines 47-54) in order to have a convenient flexible system of movie playback of collaborative system for participants in remote locations (Column 1, lines 9-13, lines 57-67) as disclosed by Kinney. Kinney is silent on broadcasting the second command signal from the computer or first computer system to the second or another computer system and then performing at the first and second system, the control operation in response to receipt of the command signal. Beard discloses an applications program sharing configuration between a host or first system (Figure 3, 30) and guests or participants or second system (Figure 3, 32) to allow the host computer to be accessible by the guests for functions such as editing annotating, creating of applications programs (Column 3, lines 42-67; Column 4, lines 1-6). Beard discloses a computer system with operating system,

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which performs a program of instructions resident in memory executable by the machine or computer to perform a method of program sharing for performing functions in a collaborative environment (Column 3, lines 32-60). Beard discloses that the guest can want to send a control command or SYNC message to the host for regarding a control operation of the program (Column 6, lines 10-42), which the host or first system broadcasts the command signal from the first system to the second system (Column 6, lines 10-42, 57-67, Column 7, lines 10-13, 29-39). Beard discloses that the host and the guests or second system performs the control operation or syncing to a particular point in the view window in response to receipt of the command signal (Column 6, lines 10-42, 57-67, Column 7, lines 10-13, 29-39). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kinney to include host or first system broadcasts the command signal from the first system to the second system (Column 6, lines 10-42, 57-67, Column 7, lines 10-13, 29-39) and the host and the guests performs the control operation or in response to receipt of the command signal (Column 6, lines 10-42, 57-67, Column 7, lines 10-13, 29-39) as taught by Beard in order to allow guests to not be confused when performing editing or pointing and causing miscommunication and work slowdown (Column 1, lines 48-67) as disclosed by Beard.

Regarding Claim 2, Kinney and Beard disclose all the limitations of Claim

1. Kinney disclose the selecting of the at least one frame of a video file to a third location (Column 6, lines 10-42, 57-67, Column 7, lines 10-13, 29-39, Figure 1,

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109); viewing the at least one frame of the video file at the third location or participant with the first and the second locations (Figure 1, 109, Column 6, lines 10-42, 57-67, Column 7, lines 10-13, 29-39). Beard discloses that the broadcasting the command signal comprising broadcasting the command signal to the third location or all guests (Column 6, lines 10-56); and performing at the first location, the second location and the third location in response to the receipt of the command signal (Column 6, lines 10-56).

Regarding Claims 4 and 9, Kinney and Beard disclose all the limitations of Claims 1 and 8 respectively. Kinney discloses that control operations are performed at the first location substantially simultaneously as the control operation is performed at the second location (Column 4, lines 41-49, Column 7, lines 1-43, Column 2, lines 15-30, Abstract). Regarding Claim 9, the control operation is performed substantially simultaneously at first, second and third locations (Column 4, lines 41-49, Column 7, lines 1-43, Column 2, lines 15-30, Abstract, Figure 1). Beard discloses that the guests and the hosts are synchronized to the same point in receipt of the command (Column 6, lines 10-56).

Regarding Claims 7, 12, 17, 21, 25, Kinney and Beard disclose all the limitations of Claims 1, 8, 13, 18, and 22 respectively. Kinney discloses that the command signal comprises a frame number of the video file or a command signal comprises to advance to a particular frame in the movie (Column 5, lines 4-9, Column 4, lines 62-63).

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Regarding Claim 14, Kinney and Beard disclose all the limitations of Claim 13. Kinney disclose the communicating the video file to a third system (Column 6, lines 38-54, Figure 1, 109); displaying the video file on a third video screen with the third system or participant with the first and the second systems (Figure 1, 109, Column 6, lines 38-54, Column 7, lines 1-15). Kinney discloses that at least one operation is performed on the first video screen substantially simultaneously as the at least one operation is performed on the second video screen (Column 4, lines 41-49, Column 7, lines 1-43, Column 2, lines 15-30, Abstract). Kinney discloses that control operations are performed at the first system substantially simultaneously as the control operation is performed at the second system (Column 4, lines 41-49, Column 7, lines 1-43, Column 2, lines 15-30, Abstract). Beard discloses that the broadcasting the command signal comprising broadcasting the command signal to the second system comprises substantially simultaneously broadcasting the command signal to the second and third systems or all guests (Column 6, lines 10-42, 57-67, Column 7, lines 10-13, 29-39); and performing at the first system, the second system and the third system in response to the receipt of the command signal on the third video screen substantially simultaneously as the operation performed on the first video screen and the second video screen (Column 6, lines 10-42, 57-67, Column 7, lines 10-13, 29-39). Beard discloses that the guests and the host are synchronized to the same point in receipt of the command (Column 6, lines 10-42, 57-67, Column 7, lines 10-13, 29-39).

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8. Claims 3, 5, 10, 15, 19, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kinney in view of Beard as applied to claim 1 above, and further in view of Burk et al (US 4,445,176 and hereafter referred to as "Burk").

Regarding Claim 3, Kinney and Beard disclose all the limitations of Claim

1. Kinney discloses command or event that includes an identification or tag (Column 5, lines 36-43). Kinney and Beard silent on the command signal comprising a one byte command identification. In analogous art, Burk discloses sending commands and that the command comprises a command byte or 1 byte (Column 49, lines 60-67, Column 50, lines 1-5). Therefore it would have been obvious at the time the invention was made to one of ordinary skill in the art to modify Kinney in view of Beard in order to include that the command comprises a command byte or 1 byte (Column 49, lines 60-67, Column 50, lines 1-5) as taught by Burk in order to send necessary information to the appropriate destination to perform commands in a single communication transaction (Column 1, lines 65-67, Column 2, lines 1-5) as disclosed by Burk.

Regarding Claim 5, Kinney, Beard, Burk disclose all the limitations of Claim 3. Kinney discloses that the command signal comprises one of stop, play, forward, reverse and pause of the video file or movie (Column 4, lines 41-45, lines 50-55). Beard discloses a pointer command (Figure 4C). Burk discloses one bit of the one-byte command comprises a specific command (Column 49, lines 60-67, Column 50, lines 1-5).

Regarding Claim 10, 15, 19, 23, Kinney and Beard disclose all the limitations of Claims 8, 13, 18, and 22 respectively. Kinney discloses command

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or event that includes an identification or tag (Column 5, lines 36-43). Kinney discloses that the command signal comprises one of stop, play, forward, reverse and pause of the video file or movie (Column 4, lines 41-45, lines 50-55). Beard discloses a pointer command (Figure 4C). Kinney and Beard silent on the command signal comprising a one byte command identification and that one bit of the one byte command comprises one of a specific command.

In analogous art, Burk discloses sending commands and that the command comprises a command byte or 1 byte (Column 49, lines 60-67, Column 50, lines 1-5). Burk discloses one bit of the one-byte command comprises a specific command (Column 49, lines 60-67, Column 50, lines 1-5). Therefore it would have been obvious at the time the invention was made to one of ordinary skill in the art to modify Kinney in view of Beard in order to include that the command comprises a command byte or 1 byte and that one bit of the one-byte command comprises a specific command (Column 49, lines 60-67, Column 50, lines 1-5) as taught by Burk in order to send necessary information to the appropriate destination to perform commands in a single communication transaction (Column 1, lines 65-67, Column 2, lines 1-5) as disclosed by Burk.

9. Claims 6, 11, 16, 20, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kinney in view of Beard as applied to claims 1, 8, 13, 18, 22 above, and further in view of Pacifici et al (US 6,230,171 and hereafter referred to as "Pacifici").

Regarding Claims 6, 11, 16, 20, and 24, Kinney and Beard disclose all the limitations of Claims 1, 8, 13, 18, and 22 respectively. Kinney and Beard are silent of the command signal comprising a pointer coordinate position of a video screen. Pacifici discloses that the command signal comprises a pointer coordinate position of a video screen (Column 5, lines 58-61, Column 9, lines 45-54). Therefore it would have been obvious at the time the invention was made to one of ordinary skill in the art to modify Kinney in view of Beard in order to include that the command signal comprises a pointer coordinate position of a video screen representing specific coordinates of the video screen (Column 5, lines 58-61, Column 9, lines 45-54) as taught by Pacifici in order to allow peers to bring attention to markup section in a peer to peer multi party collaboration system in a web based system which allows users to more easily communicate (Column 1, lines 11-28, 49-52) as disclosed by Pacifici.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farzana E. Hossain whose telephone number is 571-272-5943. The examiner can normally be reached on Monday to Friday 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on 571-272-7294. The

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fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

FEH
December 22, 2006


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